



Your Missouri Courts


Search for Cases by:
[Judicial Links](#) | [eFiling](#) | [Help](#) | [Contact Us](#) | [Print](#)
[GrantedPublicAccess](#) [Logoff](#) **TKETCHUM10**
1916-CV23439 - CARRIE MAYO V QUIKTRIP CORPORATION (E-CASE)

Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
--------------------	--------------------------------	-----------------------	---	----------------------------	--------------------	--	------------------------	--------------------------------

This information is provided as a service and is not considered an official court record.

[Click here to eFile on Case](#)
Sort Date Entries:
☒ Descending

Display Options:

[Click here to Respond to Selected Documents](#)
☐ Ascending

- 02/03/2020** ☐ [Cert Serv Resp Req Prod Doc Th](#)
Certificate of Service; Electronic Filing Certificate of Service.
Filed By: BRIAN NYE
On Behalf Of: QUIKTRIP CORPORATION
- 01/15/2020** ☐ [Cert Serv Answers Interrog Fil](#)
Certificate of Service; Electronic Filing Certificate of Service.
Filed By: KIRK ROWAN PRESLEY
- 01/08/2020** ☐ [Cert Serv Req Prod Docs Things](#)
Certificate of Service; Electronic Filing Certificate of Service.
Filed By: KIRK ROWAN PRESLEY
- 01/06/2020** ☐ [Order](#)
Scheduling Order
- 12/27/2019** ☐ [Proposed Order Filed](#)
SCHEDULING ORDER; Electronic Filing Certificate of Service.
Filed By: MATTHEW ALLEN MCCOY
On Behalf Of: CARRIE MAYO, QUIKTRIP CORPORATION, QUIKTRIP STORE #197
- 12/11/2019** ☐ **Jury Trial Scheduled**
Scheduled For: 03/15/2021; 9:00 AM ; JOHN M. TORRENCE; Jackson - Kansas City
- ☐ [Order After Case Mgmt Conf](#)
- ☐ **Hearing Held**
Scheduled For: 12/11/2019; 10:00 AM ; JOHN M. TORRENCE; Jackson - Kansas City
- 12/10/2019** ☐ [Cert Serv Req Prod Docs Things](#)
Certificate of Service; Electronic Filing Certificate of Service.
Filed By: KARRIE J CLINKINBEARD
On Behalf Of: QUIKTRIP CORPORATION
- 11/07/2019** ☐ [Entry of Appearance Filed](#)
Entry of Appearance; Electronic Filing Certificate of Service.
Filed By: BRIAN NYE
On Behalf Of: QUIKTRIP CORPORATION

☐ [Entry of Appearance Filed](#)

Filed By: KARRIE J CLINKINBEARD

On Behalf Of: QUIKTRIP CORPORATION

☐ [Answer Filed](#)

Answer to Plaintiffs Petition for Damages; Electronic Filing Certificate of Service.

Filed By: KARRIE J CLINKINBEARD

09/12/2019 ☐ [Notice of Service](#)

19-SMCC-9231; Electronic Filing Certificate of Service.

☐ [Corporation Served](#)

Document ID - 19-SMCC-9231; Served To - QUIKTRIP CORPORATION; Server - ; Served Date - 10-SEP-19; Served Time - 09:00:00; Service Type - Special Process Server; Reason Description - Served; Service Text - SERV; BONNIE LOVE

08/28/2019 ☐ [Summons Issued-Circuit](#)

Document ID: 19-SMCC-9231, for QUIKTRIP CORPORATION.

☐ [Case Mgmt Conf Scheduled](#)

Associated Entries: 12/11/2019 - Hearing Held

Scheduled For: 12/11/2019; 10:00 AM ; JOHN M. TORRENCE; Jackson - Kansas City

08/27/2019 ☐ [Filing Info Sheet eFiling](#)

Filed By: KIRK ROWAN PRESLEY

☐ [Note to Clerk eFiling](#)

Filed By: KIRK ROWAN PRESLEY

☐ [Pet Filed in Circuit Ct](#)

Petition for Damages.

On Behalf Of: CARRIE MAYO

☐ [Judge Assigned](#)

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

CARRIE MAYO)	
1303 Valentine Road, Spt. 8)	
Kansas City, MO 64111)	
)	
Plaintiff,)	
)	
v.)	Case No.:
)	Division:
QUIKTRIP CORPORATION,)	
d/b/a QuikTrip Store #197)	
Serve: CT Corporation System)	
120 South Central Ave.)	
Clayton, MO 63105)	
)	
Defendant.)	

PETITION FOR DAMAGES

COMES NOW Plaintiff Carrie Mayo, by and through undersigned counsel, and for her cause of action against Defendant QuikTrip Corporation, states and alleges as follows:

1. Plaintiff Carrie Mayo is, and was at all times relevant hereto, an individual and resident of Jackson County, Missouri, with an address of 1303 Valentine Road, Spt. 8, Kansas City, MO 64111.
2. Defendant QuikTrip Corporation ("QuikTrip") is, and was at all times relevant hereto, a corporation organized under the laws of the State of Oklahoma with its principal place of business in Oklahoma. Defendant QuikTrip has been authorized to conduct business in the State of Missouri, conducts substantial business in the Jackson County, State of Missouri and operates and owns a store located at 13100 Holmes Road, Kansas City, Missouri 64145.

3. Venue and jurisdiction are proper in this Court as the acts giving rise to this cause of action and the injuries sustained by Plaintiff all occurred in Jackson County, State of Missouri.
4. Defendant is the owner and operator of a QuikTrip convenience store located at 13100 Holmes Road, Kansas City, MO 64145 (“Defendant’s QuikTrip”) and was so on May 10, 2018.
5. Upon information and belief, at all times relevant hereto, Defendant was the owner of the property located at 13100 Holmes Road, Kansas City, MO 64145.
6. On or about May 10, 2018, Plaintiff was an invitee of Defendant’s QuikTrip.
7. On or about May 10, 2018, Plaintiff slipped and fell on a clear liquid at Defendant’s QuikTrip near the fountain drink area while as she was leaving the store.
8. Upon information and belief, the clear liquid on the floor of Defendant’s QuikTrip was caused by the fountain drink machine leaking and/or by a spill that had occurred for an appreciable amount of time prior to Plaintiff’s fall.
9. The clear liquid on the floor of Defendant’s QuikTrip rendered the store in a condition not reasonably safe for invitees such as Plaintiff.
10. Defendant did not place any barricades around the clear liquid pooling on the floor of Defendant’s QuikTrip.
11. Defendant did not post any warnings regarding the clear liquid pooling on the floor of Defendant’s QuikTrip.
12. The clear liquid on the floor was present of an appreciable amount of time such that Defendant either knew or by using reasonable care could have known of the unsafe condition of Defendant’s QuikTrip.

13. Defendant had a duty to use ordinary care to ensure Defendant's QuikTrip was in a reasonably safe condition for invitees such as Plaintiff.

14. Defendant breached its duty in one or more of the following ways:

- a. Failing to remedy the dangerous condition existing at Defendant's QuikTrip store, including failing to repair the leaking fountain drink machine and eliminating the clear liquid on the floor caused by the leaking fountain drink machine or spill;
- b. Failing to maintain the walkways of Defendant's QuikTrip in a condition reasonably safe for invitees, such as Plaintiff, walking on Defendant's QuikTrip store premises;
- c. Failing to warn invitees, such as Plaintiff, of the dangerous condition caused by the clear liquid pooling on the floor of Defendant's QuikTrip;
- d. Failing to barricade against the slick and saturated floor caused by the clear liquid pooling on the floor of Defendant's QuikTrip;
- e. Failing to inspect and discover the slick and saturated floor caused by the clear liquid pooling on the floor of Defendant's QuikTrip;
- f. Failing to implement policies and procedures that would have required employees to inspect and discover the slick and saturated floor caused by the clear liquid pooling on the floor of Defendant's QuikTrip; and
- g. For such other acts and omissions that may become apparent as discovery progresses.

15. As a direct and proximate result of such failures and the dangerous condition present at Defendant's QuikTrip, Plaintiff was caused to slip and fall at Defendant's QuikTrip.

16. As a direct and proximate result of such failures and the dangerous condition present at Defendant's QuikTrip, Plaintiff suffered injuries of a serious and permanent nature including:

- a. Past and future pain and suffering;
- b. Lost enjoyment of life;
- c. Incontinence;
- d. Injuries to her back, tailbone, elbow and lower ribs;
- e. Future medical expenses; and
- f. Loss of wages.

WHEREFORE, Plaintiff prays for Judgment against Defendant QuikTrip Corporation in such sum as is fair and reasonable, such sum to be in excess of \$25,000.00, costs incurred herein, and for such other and further relief as the Court deems just and proper.

Respectfully submitted,

PRESLEY & PRESLEY, LLC

/s/ Matthew A. McCoy

Kirk R. Presley MO #31185

Matthew A. McCoy MO #68240

4801 Main Street, Ste. 375

Kansas City, MO 64112

Phone: (816) 931-4611

Fax: (816) 931-4646

Email: kirk@presleyandpresley.com

matthew@presleyandpresley.com

Attorneys for Plaintiff

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

CARRIE MAYO,

PLAINTIFF(S),
VS.

CASE NO. 1916-CV23439
DIVISION 14

QUIKTRIP CORPORATION,

DEFENDANT(S).

**NOTICE OF CASE MANAGEMENT CONFERENCE FOR CIVIL CASE
AND ORDER FOR MEDIATION**

NOTICE IS HEREBY GIVEN that a Case Management Conference will be held with the Honorable **JOHN M. TORRENCE** on **11-DEC-2019** in **DIVISION 14** at **10:00 AM**. All Applications for Continuance of a Case Management Conference should be filed on or before Wednesday of the week prior to the case management setting. Applications for Continuance of a Case Management Conference shall comply with Supreme Court Rule and 16th Cir. R. 34.1. Continuance of a Case Management Conference will only be granted for good cause shown because it is the desire of the Court to meet with counsel and parties in all cases within the first 4 months that a case has been on file. All counsel and parties are directed to check Case.NET on the 16th Judicial Circuit web site at www.16thcircuit.org after filing an application for continuance to determine whether or not it has been granted.

A lead attorney of record must be designated for each party as required by Local Rule 3.5.1. A separate pleading designating the lead attorney of record shall be filed by each party as described in Local Rule 3.5.2. The parties are advised that if they do not file a separate pleading designating lead counsel, even in situations where there is only one attorney representing the party, JIS will not be updated by civil records department, and copies of orders will be sent to the address currently shown in JIS. Civil Records does not update attorney information from answers or other pleadings. The Designation of Lead Attorney pleading shall contain the name of lead counsel, firm name, mailing address, phone number, FAX number and E-mail address of the attorney who is lead counsel.

At the Case Management Conference, counsel should be prepared to address at least the following:

- a. A trial setting;
- b. Expert Witness Disclosure Cutoff Date;
- c. A schedule for the orderly preparation of the case for trial;
- d. Any issues which require input or action by the Court;
- e. The status of settlement negotiations.

MEDIATION

The parties are ordered to participate in mediation pursuant to Supreme Court Rule 17. Mediation shall be completed within 10 months after the date the case is filed for complex cases, and 6 months after the date the case is filed for other circuit cases, unless otherwise ordered by the Court. Each party shall personally appear at the mediation and participate in the process. In the event a party does not have the authority to enter into a settlement, then a representative of the entity that does have actual authority to enter into a settlement on behalf of the party shall also personally attend the mediations with the party.

The parties shall confer and select a mutually agreeable person to act as mediator in this case. If the parties are unable to agree on a mediator the court will appoint a mediator at the Case Management Conference.

Each party shall pay their respective pro-rata cost of the mediation directly to the mediator.

POLICIES/PROCEDURES

Please refer to the Court's web page www.16thcircuit.org for division policies and procedural information listed by each judge.

/S/ JOHN M. TORRENCE

JOHN M. TORRENCE, Circuit Judge

Certificate of Service

This is to certify that a copy of the foregoing was mailed postage pre-paid or hand delivered to the plaintiff with the delivery of the file-stamped copy of the petition. It is further certified that a copy of the foregoing will be served with the summons on each defendant named in this action.

Attorney for Plaintiff(s):

MATTHEW ALLEN MCCOY, 4801 MAIN ST STE 375, KANSAS CITY, MO 64112

KIRK ROWAN PRESLEY, PRESLEY & PRESLEY LLC, 4801 MAIN STREET SUITE 375, KANSAS CITY, MO 64112

Defendant(s):

QUIKTRIP CORPORATION

Dated: 28-AUG-2019

MARY A. MARQUEZ
Court Administrator




IN THE 16TH JUDICIAL CIRCUIT COURT, JACKSON COUNTY, MISSOURI

Judge or Division: JOHN M. TORRENCE	Case Number: 1916-CV23439
Plaintiff/Petitioner: CARRIE MAYO	Plaintiff's/Petitioner's Attorney/Address KIRK ROWAN PRESLEY PRESLEY & PRESLEY LLC 4801 MAIN STREET SUITE 375 KANSAS CITY, MO 64112
Defendant/Respondent: QUIKTRIP CORPORATION	Court Address: 415 E 12th KANSAS CITY, MO 64106
Nature of Suit: CC Pers Injury-Other	

(Date File Stamp)

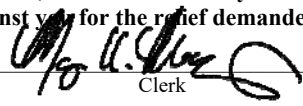
Summons in Civil Case

The State of Missouri to: QUIKTRIP CORPORATION
Alias:
 RA: CT CORPORATION SYSTEM
 120 SOUTH CENTRAL AVE
 CLAYTON, MO 63105

COURT SEAL OF

JACKSON COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

28-AUG-2019
 Date


 Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years who permanently resides with the Defendant/Respondent.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____.

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

 Printed Name of Sheriff or Server

 Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

My commission expires: _____ Date _____ Notary Public

Sheriff's Fees

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ _____

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$ _____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

SUMMONS/GARNISHMENT SERVICE PACKETS ATTORNEY INFORMATION

Under the Missouri e-filing system now utilized by the 16th Judicial Circuit Court, once a case has been accepted for filing, a clerk prepares the necessary documents for service. The summons/garnishment is sent to the attorney by an e-mail containing a link so that the filer may print and deliver the summons/garnishment, pleadings and any other necessary documents to the person designated to serve the documents.

Pursuant to State statutes, Supreme Court Rules and Local Court Rules, attorneys are required to print, attach and serve specific documents with certain types of Petitions and other filings.

Please refer to the Court's website for instructions on how to assemble the service packets at:

16thcircuit.org → Electronic Filing Information → Required Documents for Service – eFiled cases → Summons/Garnishment Service Packet Information.

Please review this information periodically, as revisions are frequently made. Thank you.

Circuit Court of Jackson County

SB 9/27



IN THE 16TH JUDICIAL CIRCUIT COURT, JACKSON COUNTY, MISSOURI

Judge or Division: JOHN M. TORRENCE	Case Number: 1916-CV23439
Plaintiff/Petitioner: CARRIE MAYO	Plaintiff's/Petitioner's Attorney/Address KIRK ROWAN PRESLEY PRESLEY & PRESLEY LLC 4801 MAIN STREET SUITE 375 3118S KANSAS CITY, MO 64112
Defendant/Respondent: QUIKTRIP CORPORATION	Court Address: 415 E 12th KANSAS CITY, MO 64106
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: QUIKTRIP CORPORATION
Alias:
RA: CT CORPORATION SYSTEM
120 SOUTH CENTRAL AVE
CLAYTON, MO 63105

30 CT Corp

COURT SEAL OF

JACKSON COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

28-AUG-2019
Date

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years who permanently resides with the Defendant/Respondent.

☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

LCW - B. LOVE (name) INTAKE SPECIALIST (title).

☐ other CT CORPORATION

Served at (address)

in 512 (County/City of St. Louis), MO, on SEP 10 2019 (date) at 9:4 (time).

William Rinehart
Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on (date).

(Seal)

My commission expires: _____ Date _____ Notary Public

Sheriff's Fees

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ 10.00

Supplemental Surcharge \$ _____ (_____ miles @ \$ _____ per mile)

Mileage \$ _____

Total \$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

19-SMCC-8434

RECEIVED
2019 SEP -3 AM 10:23
ST. LOUIS COUNTY
SHERIFF'S OFFICE
SEP 10 2019
9/10/19

3182

LOW-B. LOVE
CT CORPORATION

SEP 10 2018

William R. Rinehart
Deputy Sheriff

BIOS 20 032

14-MCC-8434

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY

CARRIE MAYO,)	
)	
Plaintiff,)	
)	
vs.)	Case No: 1916-CV23439
)	
QUIKTRIP CORPORATION ,)	
)	
Defendant.)	

ANSWER TO PLAINTIFF’S PETITION FOR DAMAGES

COMES NOW Defendant QuikTrip Corporation (“QT”), by and through counsel,
submits the following Answer to Plaintiff’s Petition for Damages:

1. Defendant lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 1 of Plaintiff’s Petition for Damages and therefore denies the same.
2. Defendant admits the allegations contained in Paragraph 2 of Plaintiff’s Petition for Damages.
3. Paragraph 3 of Plaintiff’s Petition for Damages states a legal conclusion to which no response is required. To the extent a response is deemed required, Defendant lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 3 of Plaintiff’s Petition for damages and therefore denies the same.
4. In response to Paragraph 4 of Plaintiff’s Petition for Damages, Defendant admits that it is the operator of the store located at 13100 Holmes Road, Kansas City, MO 64145 and was so on May 10, 2018. Defendant denies the remaining allegations contained in Paragraph 4 of Plaintiff’s Petition for Damages.

5. Defendant denies the allegations contained in Paragraph 5 of Plaintiff's Petition for Damages.

6. Defendant lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 6 of Plaintiff's Petition for Damages.

7. Defendant lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 7 of Plaintiff's Petition for Damages and therefore denies the same.

8. Defendant lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 8 of Plaintiff's Petition for Damages and therefore denies the same.

9. Defendant lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 9 of Plaintiff's Petition for Damages and therefore denies the same.

10. Defendant lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 10 of Plaintiff's Petition for Damages and therefore denies the same.

11. Defendant lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 11 of Plaintiff's Petition for Damages and therefore denies the same.

12. Defendant lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 12 of Plaintiff's Petition for Damages and therefore denies the same.

13. Paragraph 13 of Plaintiff's Petition for Damages states a legal conclusion to which no response is required. To the extent a response is deemed required, Defendant admits it has a duty to use ordinary care to ensure a reasonably safe condition for invitees. Defendant denies they breached any duty to Plaintiff and denies any remaining allegations in Paragraph 13 of Plaintiff's Petition for Damages.

14. Defendant denies the allegations contained in Paragraph 14, including any and all subparts.

15. Defendant denies the allegations contained in Paragraph 15 of Plaintiff's Petition for Damages.

16. Defendant denies the allegations contained in Paragraph 16, including any and all subparts.

Affirmative and Additional Defenses

1. QT denies each and every allegation not specifically admitted herein.
2. Plaintiff's Petition for Damages fails to state a claim against QT upon which relief can be granted.
3. Any injuries or damages sustained by Plaintiff, which QT denies, were directly and/or proximately caused or contributed to by Plaintiff's negligence or fault.
4. Any injuries or damages sustained by Plaintiff, which QT denies, were directly and/or proximately caused or contributed to by the negligence or fault of other persons or entities not within QT's control.
5. Any injuries or damages sustained by Plaintiff, which QT denies, were not caused or contributed to in any degree by any negligence, fault or wrongdoing on the part of QT or any QT employees.

6. If Plaintiff was injured or damaged, which QT denies, to the extent allegations of fault remain as to QT, the fault of Plaintiff and/or other persons or entities involved in the occurrence should be compared and/or apportioned so as to diminish or preclude recovery from QT.

7. Plaintiff failed to use ordinary care while present at QT at or near the time of the alleged occurrence and such failure directly caused or contributed to any and/or all of Plaintiff's alleged damages.

8. Plaintiff failed to keep a careful lookout and such failure caused or contributed to any and/or all of Plaintiff's alleged damages.

9. QT contests the nature and extent of Plaintiff's alleged damages.

10. If Plaintiff suffered any damage, which QT denies, such damages and any recovery should be reduced pursuant to Mo. Rev. Stat. § 490.715.

11. QT is entitled to credit in the amount of any settlement Plaintiff receives from any tortfeasor, as such credit constitutes a satisfaction and offset pursuant to Mo. Rev. Stat. § 537.060.

12. If Plaintiff suffered any damages, which QT denies, the alleged defect was open and obvious and Plaintiff's failure to recognize it directly caused and/or contributed to her alleged damages.

13. If Plaintiff suffered any damages, which QT denies, the alleged defect was open and obvious and Plaintiff assumed any and all risk in going near, on and/or through the alleged defect.

14. Plaintiff failed to mitigate her damages.

15. QT reserves the right to raise additional affirmative defenses as may be learned through discovery.

WHEREFORE having fully answered Plaintiff's Petition for Damages, QuikTrip Corporation prays for judgment in its favor and for its costs and reasonable attorney's fees and whatever further relief the Court deems just and proper under the circumstances.

ARMSTRONG TEASDALE LLP

By: /s/ Karrie J. Clinkinbeard
Karrie J. Clinkinbeard #51413
Brian M. Nye #69545
2345 Grand Boulevard, Suite 1500
Kansas City, Missouri 64108-2617
816.221.3420
816.221.0786 (Facsimile)
kclinkinbeard@armstrongteasdale.com
bnye@armstrongteasdale.com

ATTORNEYS FOR DEFENDANT QUIKTRIP
CORPORATION

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 7th day of November, 2019, a true and accurate copy of the above and foregoing was e-filed with the Court which sent notification to all parties entitled to service.

/s/ Karrie J. Clinkinbeard
Attorney for Defendant QuikTrip Corporation

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY

CARRIE MAYO,

Plaintiff,

VS.

QUIKTRIP CORPORATION,

Defendant.

Case No: 1916-CV23439

ENTRY OF APPEARANCE

COMES NOW Brian M. Nye of the law firm of Armstrong Teasdale LLP and enters his appearance on behalf of Defendant, QuikTrip Corporation, in the above captioned case.

ARMSTRONG TEASDALE LLP

By: /s/ Brian M. Nye

Karrie J. Clinkinbeard #51413
 Brian M. Nye #69545
 2345 Grand Boulevard, Suite 1500
 Kansas City, Missouri 64108-2617
 816.221.3420
 816.221.0786 (Facsimile)
 kclinkinbeard@armstrongteasdale.com
 bnye@armstrongteasdale.com

ATTORNEYS FOR DEFENDANT QUIKTRIP
CORPORATION

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 7th day of November, 2019, a true and accurate copy of the above and foregoing was e-filed with the Court which sent notification to all parties entitled to service.

/s/ Brian M. Nye

Attorney for Defendant QuikTrip Corporation

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY

CARRIE MAYO,)	
)	
Plaintiff,)	
)	
vs.)	Case No: 1916-CV23439
)	
QUIKTRIP CORPORATION ,)	
)	
Defendant.)	

ENTRY OF APPEARANCE

COMES NOW Karrie J. Clinkinbeard of the law firm of Armstrong Teasdale LLP and enters her appearance on behalf of Defendant, QuikTrip Corporation, in the above captioned case.

ARMSTRONG TEASDALE LLP

By: /s/ Karrie J. Clinkinbeard
Karrie J. Clinkinbeard #51413
Brian M. Nye #69545
2345 Grand Boulevard, Suite 1500
Kansas City, Missouri 64108-2617
816.221.3420
816.221.0786 (Facsimile)
kclinkinbeard@armstrongteasdale.com
bnye@armstrongteasdale.com

ATTORNEYS FOR DEFENDANT QUIKTRIP
CORPORATION

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 7th day of November, 2019, a true and accurate copy of the above and foregoing was e-filed with the Court which sent notification to all parties entitled to service.

/s/ Karrie J. Clinkinbeard
Attorney for Defendant QuikTrip Corporation

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY

CARRIE MAYO,)	
)	
Plaintiff,)	
)	
vs.)	Case No: 1916-CV23439
)	
QUIKTRIP CORPORATION ,)	
)	
Defendant.)	

CERTIFICATE OF SERVICE

I hereby certify that on December 10, 2019 *Defendant QuikTrip Corporation's First Set of Interrogatories to Plaintiff and Defendant QuikTrip Corporation's First Request for Production to Plaintiff*, along with this Certificate of Service, were served in PDF and Word format via electronic mail to:

Kirk R. Presley
Matthew A. McCoy
4801 Main Street, Ste. 375
Kansas City, MO 64112
Email: kirk@presleyandpresley.com
matthew@presleyandpresley.com

ARMSTRONG TEASDALE LLP

By: /s/ Karrie J. Clinkinbeard
Karrie J. Clinkinbeard #51413
Brian M. Nye #69545
2345 Grand Boulevard, Suite 1500
Kansas City, Missouri 64108-2617
816.221.3420
816.221.0786 (Facsimile)
kclinkinbeard@armstrongteasdale.com
bnye@armstrongteasdale.com

ATTORNEYS FOR DEFENDANT QUIKTRIP
CORPORATION

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 10th day of December, 2019, a true and accurate copy of the above and foregoing was e-filed with the Court which sent notification to all parties entitled to service.

/s/ Karrie J. Clinkinbeard
Attorney for Defendant QuikTrip Corporation

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY

CARRIE MAYO

Plaintiff(s),

vs.

QUIKTRIP CORPORATION,

Defendant(s).

Case No. 1916-CV23439

Division 14

FILED
DIVISION 14

11-Dec-2019 10:36

CIRCUIT COURT OF JACKSON COUNTY, MO

BY

CASE MANAGEMENT ORDER

Plaintiff(s) appear by Mc Coy

Defendant(s) appear by Nye

A copy of this order was hand-delivered to each party on this date.

1. Jury/Bench trial shall commence at 9:00 a.m. on 3-15-21. It is estimated that the complete trial will last _____ days. It is understood that, absent extraordinary circumstances, the trial will not be continued. Judge JOHN M. TORRENCE is designated trial judge.
2. ☒ The parties have agreed to prepare a stipulated scheduling order and provide the order to the Court for signature within ten (10) days. **OR**
☐ The parties shall comply with the following discovery schedule:
3. All necessary parties shall be added no later than _____. All requests to file amendments to the pleadings shall be filed no later than _____.
4. Plaintiff shall identify expert witnesses no later than _____. Defendants shall identify expert witnesses _____ days thereafter.
5. Discovery shall close (all depositions taken and responses to timely propounded discovery requests served on requesting parties) on _____.
6. All dispositive motions shall be filed no later than _____.
7. A pretrial conference is scheduled for _____ a.m./p.m. on _____.
8. Mediation shall take place no later than _____. Mediation expenses shall be equally shared by the parties unless otherwise agreed.

12-11-19

DATE

John M. Torrence
JOHN M. TORRENCE, CIRCUIT JUDGE

Certificate of Service

This is to certify that a copy of the foregoing was automatically forwarded to the attorneys of record through the Court's eFiling system. In addition, this certifies that a copy of the foregoing was hand delivered/faxed/ emailed/mailed to the following on _____.

BRIAN NYE, Attorney for Defendant, 2345 GRAND, SUITE 1500, KANSAS CITY, MO 64108

-, bnye@armstrongteasdale.com

KARRIE J CLINKINBEARD, Attorney for Defendant, STE 1500, 2345 GRAND BOULEVARD, KANSAS CITY, MO 64108

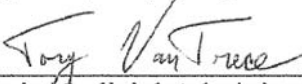
(816) 221-0786, kclinkinbeard@armstrongteasdale.com

MATTHEW ALLEN MCCOY, Attorney for Plaintiff, 4801 MAIN ST STE 375, KANSAS CITY, MO 64112

-, matthew@presleyandpresley.com

KIRK ROWAN PRESLEY, Attorney for Plaintiff, PRESLEY & PRESLEY LLC, 4801 MAIN STREET SUITE 375, KANSAS CITY, MO 64112

-, kirk@presleyandpresley.com



Law Clerk/Judicial Administrative Assistant, Division 14

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

CARRIE MAYO)	
)	
Plaintiff,)	
)	
v.)	Case No.: 1916-CV23439
)	Division: 14
QUIKTRIP CORPORATION,)	
)	
Defendant.)	

SCHEDULING ORDER

COMES NOW the Parties, and jointly submit the following Scheduling Order:

1. This Case is set for a jury trial on March 15, 2021. The trial is expected to last 4 days and the parties request 60 jurors.
2. Motions for leave to amend the pleadings shall be filed no later than 6/1/2020.
3. Motions for leave to add additional parties shall be filed no later than 6/1/2020.
4. Plaintiffs shall designate their retained and non-retained testifying experts no later than 7/15/2020. Plaintiffs shall make their retained expert witnesses available for deposition by no later than 9/1/2020.
5. Defendant shall designate their retained and non-retained testifying experts by no later than 11/2/2020. Defendant shall make their retained expert witnesses available by no later than 12/6/2020.
6. All potentially dispositive motions shall be filed no later than 12/31/2020. No extensions shall cause the final sur-reply to be filed less than twenty (20) days prior to trial.

7. A pre-trial conference is set for March 1, 2021. Lead Trial Counsel for each party must attend.
8. All discovery shall be completed on or before November 27, 2020.
9. Any of the above time deadlines, except the trial date, pre-trial conference and filing of dispositive motions may be changed by agreement of the parties without notice to the Court, as long as such changes do not affect the trial date. Any desire to make changes without the agreement of the parties will require leave of Court. In the event the parties choose to deviate from the Scheduling Order, such agreement should be documented by the parties. Disputes over agreements to change time deadlines not documented will result in strict enforcement of this Scheduling Order.
10. Not later than fourteen (14) days before the pre-trial conference, the parties shall serve and file with the Court a designation by page and line, of any deposition testimony that the offering party intends to read/play at trial. Not later than seven (7) days before the pre-trial conference, each party shall serve and file with the Court any objections to the other party's deposition designations and shall provide any counter-designations. Not later than three (3) days before the pre-trial conference, the parties shall serve and file with the Court any objections to the other party's counter-designations.
11. Motions in Limine and supporting briefs shall be filed not later than ten (10) days before the pre-trial conference. Briefs in opposition to Motions in Limine shall be filed not later than three (3) days before the pre-trial conference.
12. Proposed jury instructions shall be filed by the parties not later than ten (10) days before the trial date.

13. The Parties shall participate in mediation, with a mediator of their choice, on or before July 10, 2020.

Respectfully submitted,

PRESLEY & PRESLEY, LLC

/s/ Matthew A. McCoy

Kirk R. Presley MO #31185

Matthew A. McCoy MO #68240

4801 Main Street, Ste. 375

Kansas City, MO 64112

Phone: (816) 931-4611

Fax: (816) 931-4646

Email: kirk@presleyandpresley.com

matthew@presleyandpresley.com

Attorneys for Plaintiff

ARMSTRONG TEASDALE LLP

By: /s/ Brian M. Nye

Karrie J. Clinkinbeard #51413

Brian M. Nye #69545

2345 Grand Boulevard, Suite 1500

Kansas City, Missouri 64108-2617

816.221.3420

816.221.0786 (Facsimile)

kclinkinbeard@armstrongteasdale.com

bnye@armstrongteasdale.com

Attorneys for Defendant

QUIKTRIP CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that on December 27, 2019 I electronically filed the foregoing with the Clerk of the Court with the Court which sent notice of electronic filing to all counsel of record.

/s/ Matthew A. McCoy
Attorney for Plaintiffs

7. A pre-trial conference is set for March 1, 2021. Lead Trial Counsel for each party must attend.
8. All discovery shall be completed on or before November 27, 2020.
9. Any of the above time deadlines, except the trial date, pre-trial conference and filing of dispositive motions may be changed by agreement of the parties without notice to the Court, as long as such changes do not affect the trial date. Any desire to make changes without the agreement of the parties will require leave of Court. In the event the parties choose to deviate from the Scheduling Order, such agreement should be documented by the parties. Disputes over agreements to change time deadlines not documented will result in strict enforcement of this Scheduling Order.
10. Not later than fourteen (14) days before the pre-trial conference, the parties shall serve and file with the Court a designation by page and line, of any deposition testimony that the offering party intends to read/play at trial. Not later than seven (7) days before the pre-trial conference, each party shall serve and file with the Court any objections to the other party's deposition designations and shall provide any counter-designations. Not later than three (3) days before the pre-trial conference, the parties shall serve and file with the Court any objections to the other party's counter-designations.
11. Motions in Limine and supporting briefs shall be filed not later than ten (10) days before the pre-trial conference. Briefs in opposition to Motions in Limine shall be filed not later than three (3) days before the pre-trial conference.
12. Proposed jury instructions shall be filed by the parties not later than ten (10) days before the trial date.

13. The Parties shall participate in mediation, with a mediator of their choice, on or
before July 10, 2020.

January 6, 2020
DATE


CIRCUIT COURT JUDGE

Respectfully submitted,

PRESLEY & PRESLEY, LLC

/s/ Matthew A. McCoy
Kirk R. Presley MO #31185
Matthew A. McCoy MO #68240
4801 Main Street, Ste. 375
Kansas City, MO 64112
Phone: (816) 931-4611
Fax: (816) 931-4646
Email: kirk@presleyandpresley.com
matthew@presleyandpresley.com
Attorneys for Plaintiff

ARMSTRONG TEASDALE LLP

By: /s/ Brian M. Nye
Karrie J. Clinkinbeard #51413
Brian M. Nye #69545
2345 Grand Boulevard, Suite 1500
Kansas City, Missouri 64108-2617
816.221.3420
816.221.0786 (Facsimile)
kclinkinbeard@armstrongteasdale.com
bnye@armstrongteasdale.com

Attorneys for Defendant
QUIKTRIP CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that on December 27, 2019 I electronically filed the foregoing with the Clerk of the Court with the Court which sent notice of electronic filing to all counsel of record.

/s/ Matthew A. McCoy
Attorney for Plaintiffs

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

CARRIE MAYO,

Plaintiff,

vs.

QUIKTRIP CORPORATION,

Defendant.

)
)
)
)
)
)
)
)
)
)

Case No: 1916-CV23439

CERTIFICATE OF SERVICE

I certify on this 8th day of January, 2020, Plaintiff's First Interrogatories to Defendant and Plaintiff's First Request for Production of Documents to Defendant were sent by electronic mail and

U.S. Mail to:

ARMSTRONG TEASDALE LLP
Karrie J. Clinkinbeard
Brian M. Nye
2345 Grand Boulevard, Suite 1500
Kansas City, Missouri 64108-2617
kclinkinbeard@atllp.com
bnye@atllp.com
Attorneys for Defendant

Respectfully submitted,

PRESLEY & PRESLEY, LLC

/s/Matthew A. McCoy

Kirk R. Presley MO# 31185

Matthew A. McCoy MO# 68240

4801 Main Street, Suite 375

Kansas City, MO 64112

Phone: (816) 931-4611

Fax: (816) 931-4646

Email: kirk@presleyandpresley.com

matthew@presleyandpresley.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 8, 2020, the forgoing document was sent via U.S. Mail to the all counsel of record

/s/Matthew A. McCoy
Attorney for Plaintiffs

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

CARRIE MAYO,

Plaintiff,

vs.

QUIKTRIP CORPORATION,

Defendant.

)
)
)
)
)
)
)
)
)
)

Case No: 1916-CV23439

CERTIFICATE OF SERVICE

I certify on this 15th day of January, 2020, Plaintiff's Answers to Defendant First Interrogatories and Plaintiff's Responses to Defendant's First Request for Production of Documents were sent by U.S.

Mail First Class Postage Prepaid to:

ARMSTRONG TEASDALE LLP
Karrie J. Clinkinbeard
Brian M. Nye
2345 Grand Boulevard, Suite 1500
Kansas City, Missouri 64108-2617
kclinkinbeard@atllp.com
bnye@atllp.com
Attorneys for Defendant

Respectfully submitted,

PRESLEY & PRESLEY, LLC

/s/Matthew A. McCoy

Kirk R. Presley MO# 31185

Matthew A. McCoy MO# 68240

4801 Main Street, Suite 375

Kansas City, MO 64112

Phone: (816) 931-4611

Fax: (816) 931-4646

Email: kirk@presleyandpresley.com

matthew@presleyandpresley.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 15, 2020, the forgoing document was sent via U.S. Mail to the all counsel of record

/s/Matthew A. McCoy
Attorney for Plaintiff

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY

CARRIE MAYO,)	
)	
Plaintiff,)	
)	
vs.)	Case No: 1916-CV23439
)	
QUIKTRIP CORPORATION ,)	
)	
Defendant.)	

CERTIFICATE OF SERVICE

On February 3, 2020, Defendant QuikTrip Corporation served the following, along with this Certificate of Service, via electronic mail:

1. Defendant QuikTrip Corporation's Objections and Answers to Plaintiff's First Interrogatories;
2. Defendant QuikTrip Corporation's Objections and Responses to Plaintiff's First Request for Production of Documents; and
3. Production Documents Bates-Labeled QT000002-QT000010; QT000013-15; and QT000056-68.

QuikTrip further certifies that it served QT000001 (a video thumbdrive) via regular U.S.

Mail on February 3, 2020 to:

Kirk R. Presley
Matthew A. McCoy
4801 Main Street, Ste. 375
Kansas City, MO 64112
kirk@presleyandpresley.com
matthew@presleyandpresley.com

ARMSTRONG TEASDALE LLP

By: /s/ Brian M. Nye

Karrie J. Clinkinbeard #51413

Brian M. Nye #69545

2345 Grand Boulevard, Suite 1500

Kansas City, Missouri 64108-2617

816.221.3420

816.221.0786 (Facsimile)

kclinkinbeard@atllp.com

bnye@atllp.com

ATTORNEYS FOR DEFENDANT QUIKTRIP
CORPORATION